

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ANDRE C. CORMIER,

Plaintiff,

v.

JPMC SPECIALTY MORTGAGE, LLC,

Defendant.

MEMORANDUM AND ORDER

22-cv-173 (LDH) (LB)

LASHANN DEARCY HALL, United States District Judge:

Andre C. Cormier (“Plaintiff”), proceeding pro se, brings the instant *qui tam* action against JPMC Specialty Mortgage, LLC (“Defendant”), asserting violations under the False Claims Act, 31 U.S.C. § 3729 *et seq.*

Plaintiff filed the complaint on January 14, 2022. (*See* Compl., ECF No. 1.) The complaint was not filed properly, however, as Plaintiff had not paid the requisite filing fee. Nor did he move in the alternative to proceed *in forma pauperis* (“IFP”). (*See* Not. Deficient Filing, ECF No. 2.) By letter dated January 24, 2022, the Clerk of Court intended to notify Plaintiff that his filing was deficient, and advised that if he failed to correct the filing within 14 days, the case would be subject to dismissal. (*Id.*)

However, due to an administrative oversight, the January 24, 2022 letter was not addressed properly, and returned undeliverable to the Court. (*See* ECF No. 4.) Consequently, on February 15, 2022, the Clerk of Court mailed another notice of deficient filing to Plaintiff, and instructed him to return the accompanying enclosures to the Court within 14 days. To date, Plaintiff has failed to pay the filing fee or request to proceed IFP.

Accordingly, the complaint is DISMISSED without prejudice for failure to prosecute.

The Clerk of Court is respectfully directed to mail a copy of this order to the pro se plaintiff and close this case.

SO ORDERED.

Dated: Brooklyn, New York
December 13, 2023

/s/ LDH
LASHANN DEARCY HALL
United States District Judge